

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Broadcast Localism)	MB Docket No. 04-233
)	
)	

To: Office of the Secretary
Attn: The Commission

COMMENTS

Edward Schumacher, the licensee of WTUZ Radio Inc, Uhrichsville, Ohio pursuant to Report on Broadcast Localism and Notice of Proposed Rulemaking, FCC 08-218, MB Docket No.04-233, released January 24, 2008, hereby submits its comments in the proceeding the FCC's several proposed rule changes designed to enhance broadcast localism and diversity, to increase and improve the amount and nature of broadcast programming that is targeted to the local needs and interests of a broadcast station's community of service, and to provide more accessible information to the public and broadcasters' efforts to air such programming.

A. COMMUNICATION BETWEEN LICENSEES AND THEIR COMMUNITIES

Community Advisory Boards.

We have sent attachments with this document showing that, as a small market broadcast station, we are well in touch with our local communities, local officials and leaders. With 3 local broadcast licensees in this County, local officials would be hard pressed to attend 3 quarterly meetings, taking valuable time away from their civic duties and responsibilities. The staff and I are all on a first name basis with local officials and leaders and our contact with community leaders is a daily occurrence. Mandated quarterly meetings would be cumbersome, not time efficient, and in our instance, totally unnecessary. Our survival as a business depends on our ability to serve our community. Mandated quarterly meetings would just encumber that ability. Our most valuable asset is "time". I suggest the mandated meetings should be between small market broadcasters and FCC staff. You

would think the Commission would be interested in assisting broadcasters in their quest to serve our communities instead of proposing cumbersome, antiquated rules that would in reality hinder our ability to do what the Commission is claiming to accomplish.

Questionnaires answered by community leaders on current issues and our proposed programming could be placed in our public file. This would be more time efficient. These questionnaires could be done on an individual basis. Semi annual should be sufficient.

Remote Station Operation.

WTUZ Radio does operate at times as “unattended”. The payroll savings has provided WTUZ the ability to employ 2 full time and 1 part time news persons. With the technology available, we can and have gone “live” on the air while unattended at the studio. Our phones are answered 24/7. Unlike a large metropolitan area, WTUZ staff members are just minutes away from our studio location.

Within a mile of the studio’s location live the Owner/ General Manager and the General Sales Manager. Within 5 miles resides the Operations Manager and the Production Manager. The Chief Engineer is 15 minutes away. We can go “live” on the air in a matter of moments from our perspective homes and then if necessary be at the studios in a matter of minutes.

We have our EAS system programmed to air all weather alerts and we were one of the first stations in Ohio to participate in the AMBER plan. 24/7 mandated staffing would do nothing except increase our operating costs. We also have a disaster plan set in place in case of a major incident. The disaster plan can go into effect during both attended and unattended hours.

We would be happy to place our disaster plan in our public file for inspection by the public.

B. NATURE AND AMOUNT OF COMMUNITY-RESPONSIVE PROGRAMMING

Local Programming Renewal Application Processing Guidelines.

This issue, with “government” involvement in programming will have to be decided by the Courts.

Main Studio Rule.

WTUZ Radio has worked under the rules set forth by the Commission. Our business plan has been developed under the rules set forth by the Commission. We have made investment in a facility and equipment in compliance with Commission rules.

Our studios are 2.5 miles outside of our COL. We are centrally located, adjacent to the County Justice Center, 911 Center, and County Emergency Management offices. We have broadcast live from Emergency Management

during severe flooding in the County. We are on a major interchange on US 250 with easy access from all points in the County including our COL and the County seat.

Forcing WTUZ to move our studios into the City of Uhrichsville would be an immense and cost prohibitive expense, and would not affect our service to our COL except to once again encumber us with added expense.

We are licensed to the City of Uhrichsville, but our service area encompasses a 5 county area. Is it the Commissions intent for us to “super serve” our COL and ignore the other 90% of our listeners?

It is unrealistic to force broadcasters to move broadcast facilities when those facilities were constructed under existing rules. Should Congress force the Commission to move back to M Street? Should Congress dictate that the Commission return to the technology of 1984?

The Commission license assignments need to come into the 21 Century. A license should be assigned to a region, not a particular city. WTUZ Radio serves not only our COL but all within our region. Studios should be within the region of license.

Voice Tracking/National Play lists-

These are programming issues. The Telecommunications Act of 1996 strictly prohibits the FCC from interference in programming. WTUZ will air and promote local artists and will do so when we sponsor an upcoming performance of the local Philharmonic, but what and who we decide to air is to our discession. The attempt of the Commission to become involved in programming is serious and egregious. The FCC making decisions on license renewal based on particular programming decisions is a slippery slope, and I pray that our Court system will stifle this attempt by government to “program” local radio.

LICENSE RENEWAL PROCEDURES

Shortened License Terms.

The Congress of The United States writes and passes laws to be signed into law by the President of the United States. No where in the Constitution of the United States of America is the Federal Communications Commission mentioned. The Telecommunications Act of 1996 passed by Congress and signed by President Clinton places the license renewal period at 8 years. This is the law of the land. If the renewal period needs to be changed, Congress needs to change the law and the President needs to sign the bill into law.

Renewal Applications Processing Guidelines.

WTUZ Radio has been a successful local broadcasting operation for over 19 years. We are successful because we know that local service is the key. There is no communication problem between small market radio and our communities. The problem is between small market broadcasters and the regulators in Washington who do not understand or comprehend how small town America works.

I fear the impetus of government involvement in any form of programming. 60 years ago when there were just a few radio stations, government may have had some role to ensure fairness. In 2008 with thousands of commercial and non commercial radio stations, television stations, satellite radio, cable TV, satellite TV and the unregulated internet growing at an astonishing pace, government meddling in radio's ability to program to our communities is unnecessary and dangerous.

Small market broadcasters are challenged with the ability to embrace digital technology. The cost for a small market broadcaster is no different than that of larger market stations yet the cash flow is greatly different.

As proposed, the localism rules will cost small market broadcasters even more money and valuable time, causing the conversion to be greatly impeded if not totally lost.

The ability of small market broadcasters to use secondary digital channels to increase the service to underserved audiences will also be lost.

In conclusion, ____WTUZ Radio Inc.____ submits that the above comments should be taken into consideration by the Commission in issuing its decision in the above-referenced proceeding.

Respectfully submitted,

Edward A. Schumacher

President/General

Manager

[WTUZ Radio Inc]

[2424 East High Avenue]
[New Philadelphia, Ohio 44663]
[330-339-2222]

[4/25/08]